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Docket No.: C37780/123357

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Philip M. GREEN) Examiner: To be Assigned
Serial No.: 10/077,429) Group Art Unit: To be Assigned
Filed: February 15, 2002)
For: RULES-BASED ACCOUNTING SYSTEM
FOR SECURITIES TRANSACTIONS

INFORMATION DISCLOSURE STATEMENT

April 5, 2002

Box DD
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Attached hereto is Form PTO-1449 listing documents believed relevant to the subject application. These documents are also listed below. It is respectfully submitted that these documents be considered by the examiner before issuance of the next action and made of record in this file. The Examiner is also asked to initial and return a copy of the enclosed PTO-1449 form to evidence such consideration.

This Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(b)(3). To the best of the undersigned's knowledge, before the mailing of a first Office Action on the merits. No fee is required.

The Commissioner is hereby authorized to charge (or credit any overpayment) any fees which are due to Deposit Account No. 02-4467. A duplicate copy of this communication is enclosed.

U.S. PATENT DOCUMENTS

| <u>Patent No.</u> | <u>Issue Date</u> | <u>Author</u> |
|--------------------------|--------------------------|----------------------|
| 5,630,127 | May 13, 1997 | Moore, et al. |
| 5,940,809 | August 17, 1999 | Musmanno, et al. |
| 6,058,379 | May 2, 2000 | Odom, et al. |
| 6,076,074 | June 13, 2000 | Cotton, et al. |
| 6,347,307 | February 12, 2002 | Sandhu, et al. |

This disclosure statement should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures § 609. If for some reason the examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

A copy of each document is enclosed. These documents are not necessarily analogous art.

OTHER INFORMATION

Applicant wishes to advise the examiner that an experimental use of the present invention was conducted from January 31, 2001 until about the summer or fall of 2001. This use was conducted by the applicant and assignee, the Bank of New York ("BONY"), with a single client, JP Morgan, under the terms of a general confidentiality agreement existing between

BONY and JP Morgan regarding sharing of confidential technological information. The software implementing the present invention has at all times remained in the custody and control of BONY. During this experimental period, JP Morgan provided actual data for a number of accounts that was fed into the system of the present invention in order to test the technical viability of the system in a real world situation in processing multiple transactions received both from the same account as well as from a plurality of accounts. Using this data, BONY provided to JP Morgan daily downloads from the system consisting of the transactions for the day and resulting positions. At the same time, JP Morgan simultaneously maintained their own accounting system for processing the data for these accounts. The results from the system of the present invention were compared to the results from JP Morgan's existing systems. JP Morgan provided to BONY report cards reporting the accuracy of the information, the suitability of the accounting reports as well as other feedback. During the test phase it was found that reconstruction occurred overly frequently and the system was modified to increase the threshold under which reconstruction is performed. In mid to late March, BONY took snapshots of the books and provided to JP Morgan monthly auditing reports for the month of February. During the test period, JP Morgan, in accordance with the test plan, phased in the number of accounts from approximately 70 accounts to approximately 800 by around July of 2001. At around December 2001, BONY and JP Morgan appeared to be satisfied with the test results and BONY

then received payment for the accounting services performed with the use of the system of the present invention inclusive of the accounting performed previously and up to that date.

Respectfully submitted,

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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 5, 2002 |
| (Date of Deposit) |
| Diana J. Diasparra |
| Name of applicant, assignee, or Registered Representative |
| <i>Diana J Diasparra</i> |
| Signature |
| 4/5/02 |
| Date of Signature |